

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
v.)
TONY DIAZ,)
Defendant.)
Criminal No. 04-10274-PBS

JOINT MEMORANDUM FOR FINAL STATUS CONFERENCE

The parties hereby jointly submit this Memorandum for the Final Status Conference pursuant to Local Rule 116.5(C).

The parties hereby report that:

1. The government has provided and made available to the defendant all discovery. There are no outstanding discovery issues.
 2. Neither party anticipates providing further discovery.
 3. The defendant does not intend to raise a defense of insanity or public authority.
 4. The government has not requested notice of alibi.
 5. At this time, the defendant does not anticipate filing any motions requiring a ruling by the District Court before trial. The defendant does, however, reserve the right to file such motions.
 6. The parties have discussed the possibility of an early resolution to the case, but remain uncertain as to the likelihood of resolution short of trial.
 7. The parties hereby agree to the periods of time already excluded by order of this Court.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney
By:


/s/ Paul R. Moore
Paul R. Moore
Assistant U.S. Attorney

Respectfully submitted,

TONY DIAZ
Defendant


/s/ Michael J. Liston
Michael J. Liston
Counsel for the Defendant

DATE: February 8, 2005